

OCTOBER EXCURSIONS

Days on Which Railroads Have Agreed to Run Cheap Trains.

Some of the Reasons for the Frequency of Accidents—The Pennsylvania and the G. R. & I.

Passenger representatives of railroads concerned in Chicago business met in Cincinnati on Wednesday (O. P. McCarty presiding) and arranged for the October excursion business. Rates were fixed as follows:

From Cincinnati—Oct. 4, Pennsylvania; Oct. 9, Big Four; Oct. 12, Pennsylvania; Oct. 15, Big Four; Oct. 18, Pennsylvania; Oct. 21, Big Four; Oct. 24, Pennsylvania; Oct. 27, Big Four; Oct. 30, Pennsylvania; Oct. 31, Big Four.

It was decided that the C. & D. had already had its share of the business and that that road was not accorded a date for October.

Frequency of Railroad Accidents.

The public has been startled by the frequency of accidents to passenger trains occurring within the past few weeks, and the matter has been the subject of much comment and adverse criticism. But, deplorable as these accidents have been, a little reflection will show that they have not been much, if any, out of proportion to the business done. It must be remembered that not only have the roads centering at Chicago (on which most of these accidents have occurred) put on extra trains, but in order to accommodate the traveling public, have found it necessary to run their trains in two or more sections, practically doubling the number of trains. With a single track to accommodate this largely increased traffic it has been found necessary to send out trains very close together, each, often not more than fifteen minutes apart, say seven miles. Any one of a score of trifles incident to the running of a train—a heavy grade, a defective car, an inferior coal, or the like—is liable to reduce this trifling distance so as to bring the trains dangerously near each other. Then, a slight damage to the forward engine, a foggy night, an enforced stoppage at a water, or something of that sort, and a rear-end collision is almost inevitable, even though the trainmen may be fully alive to the danger. As a matter of fact, recent accidents have not been much, if any, out of proportion to the traffic.

The Pennsylvania After the G. R. & I.
Vice President James McCrea, of the Pennsylvania Company, left Fort Wayne yesterday morning on a tour of inspection of the Grand Rapids & Indiana railroad. He will go over the entire line. There has been rumors for the past few days that the Pennsylvania Company would finally absorb that line.

General Notes.
The fifty-six railroads of the Central Traffic Association having unanimously voted to withdraw from the agreements heretofore existing between them as an organization and the Southwestern Traffic Association, the separation will take place on the 15th prox.

Judging by the orders for empty cars that are being placed with most of the roads, there is a good deal of freight getting ready to move. The freight men are much encouraged by the outlook, and are looking forward to a fall traffic that will compare favorably with that of seasons past.

During August the Pennsylvania's relief department paid claims aggregating \$42,709.15, of which \$12,750 in satisfaction of death claims, \$2,822 for accidents, and \$2,900 for sickness. Of the gross amount, \$34,452.65 was disbursed on the Pennsylvania grand division, which embraces the Pittsburgh division.

The entrance of the L. D. & W. into the field as a competitor for St. Louis fair business may or may not be a disturbing element. The new line runs over the Clover Leaf from Metcalf, Ill., and the distance from Indianapolis to St. Louis is 255 miles—ten miles less than one of the old lines, and fifteen more than the other.

The Pittsburgh, Fort Wayne & Chicago railway will commence, on Oct. 1, to run its shops in Fort Wayne, and will operate five hours per day with a full complement of men. It has been running five hours per day since Aug. 1. There are now two thousand cars on the road waiting repairs, besides six of the largest size engines are to be constructed at once.

A comparative statement of the earnings of the Louisville & Nashville for the third week in September shows a falling off as compared with the corresponding week last year of \$74,495 from freight, \$9,630 from passengers, and \$11,010 from miscellaneous sources of revenue. Of this short-ago \$11,010 is said to be only apparent, and due to a change in the system of keeping the accounts of certain divisions.

The first train over the Toledo & Ohio Central extension railway between Ridgway and Columbus, arrived at the latter place on Wednesday. The train was piloted by the Toledo & Ohio Central, and the extension is expected to open for business about the 15th prox. It is expected to secure access to the Union Station over the Midland tracks, as the work on the Columbus belt line will not be begun until spring.

The Western Passenger Association lines have granted a round-trip rate of one fare from all points in Minnesota to the celebration of Minnesota day at the world's fair, which is set for Oct. 13. Tickets will be sold Oct. 11 and 12, with a final return limit of Oct. 18. The Western roads have also practically agreed to accept the proposition of the Atchafalaya for reduced rates to the fair on Oct. 20 and 21. The tickets to be sold will be good upon all trains and in all cars.

Some railroad men are criticizing the Pennsylvania for its treatment of St. Louis business. When the question of rates for the world's fair was under consideration, the Pennsylvania would not listen to anything less than a \$7.50 rate out of Columbus, O., declaring it could not afford to haul passengers 624 miles—the round-trip between the two points—for less. But when St. Louis put in an application for low rates to the fair and Velled Prophet show the company conceded a \$7 round-trip rate from Columbus, and the distance is 82 miles, and the company must, in addition, pay the St. Louis Bridge Company \$1 for each passenger carried across the river.

There is almost a certainty of trouble on the Chesapeake & Ohio. The management has given notice of a 10-per-cent reduction in wages, to take effect on the 1st prox., and the men are very outspoken in opposition. In connection with the employees of the Memphis & Charleston and the L. & N., a meeting was held by them at Memphis Tuesday night and an organization perfected, with a view to resisting the cut. The meeting was a secret one, but it was openly declared that one of its objects was to make common cause with all the employees of the roads named. Nothing was done, it is understood, further than to appoint a committee to visit the general officers of the several roads. Should they fail in their mission—that of securing an adjustment of the differences—a strike will be ordered on the three roads.

The usually reliable Pittsburgh Post strains faith in its character for veracity by printing the following:

"If every man who has ever beat a railroad company would become conscience stricken and pay up like the one whose name was under this note received by a certain railroad company, the business together with a postal order for \$3.48, the companies would have enough to lift them out of debt. The note:

catcher, and, finding I was on the wrong road, I told the engineer, and he took me back in the engine cab.

"I do not know of ever stealing but two rides on the railroad in my life—one account I have settled. I send you postoffice money order for \$3.45, which I trust, will settle principal and interest, even if the fare were ten cents per mile. I have repented of my sins, and desire forgiveness of God and man. Respectfully,

Rev. ————
JOHN NOURSE CAUGHT.

Police Have Something of a Time in Capturing Manley's Assailant.

John Nourse, the young man who is responsible for the knife wound in the breast of Manley, of No. 75 Maple street, was captured yesterday by police agents. Schaub and Wilson and patrolman Simpson. Since his assault on Manley the prisoner has been eluding the officers, and succeeded in cleverly outwitting several attempts at capture until yesterday evening about 5 o'clock. At that hour the police learned that he was in hiding at the house of C. H. Cashner, No. 283

HEDGES LOCKED UP.

He Is Charged with the Murder of Dan Gaddis, of Whitestown.

On a warrant from the Boone county coroner, charging him with murder, Ambrose Hedges, living near the City Hospital, was arrested yesterday and locked up. Three weeks ago Hedges got into trouble with Dan and Mary Gaddis, of Whitestown, while the couple were with a band of horse traders in camp at the end of Indiana avenue.

In the fight which ensued Dan Gaddis was struck in the head with a neck yoke wielded by Hedges, from the effect of which Gaddis died last week. Mary Gaddis, who attacked Hedges with a knife and cut him so severely that he was confined to the City Hospital for a week. He yet shows the marks of the infuriated woman's knife. He stated that he was in the act of attacking Hedges in self-defense and to save his own life, as the latter came at him with murder in his eye. Hedges will be taken to Boone county for trial.

INSURANCE NEWS AND NOTES.

The Chicago Fire Underwriters' Association has adopted a rule that premiums for fire insurance shall be paid in cash upon the delivery of the policy.

The twenty-per-cent advance in fire insurance rates in certain Western States, made effective since Aug. 1, has been seen in rumors for the past few days that the Pennsylvania Company would finally absorb that line.

The organization of the Northwestern Life Insurance Company, of Manchester, N. H., has been completed by the election of its officers. Hon. Charles H. Chamberlain was chosen president and Governor John G. Smith vice president.

In response to inquiries the Secretary of State of Missouri says that he considers the various bond investment concerns as fraudulent, and that the Attorney General will ask the Supreme Court, at its approaching session, to declare their charters void.

The August fire loss in the United States and Canada was \$12,227,700, and more than a million dollars in excess of the previous month. The August loss in 1892 was \$10,145,300, and in 1891 it was \$9,055,100. The aggregate loss for the first eight months of 1893 was \$11,234,000, against \$7,122,450 for the same period of 1892, and \$8,202,470 in 1891.

Charles F. Vail, of St. Louis, who had damage suits for \$50,000 pending against both the United States Mutual Accident and the American Accident, of Louisville, died recently. Vail was charged with the murder of his wife for the sake of getting the insurance, but was acquitted. It is thought that his death will probably terminate the suits.

Figures have been compiled showing the management expenses to mean amount of insurance in force of twenty-eight life companies for the past twenty years. This compilation gives \$8.30 on each \$1,000 of insurance in force as the expense for 1873, while in 1892 it was \$10.75 per \$1,000. The average from 1883 to 1892 was \$9.70, and from 1883 to 1892 \$10.20, the previous five-year period, from 1878 to 1892, being \$8.50.

The Mutual Life claims credit for the inauguration of the war upon rebating by the life insurance interests. President McCarty, in a telegram to the recent convention of the National Association of Life Underwriters held at Cleveland, in which he expressed the sentiment that his company not only recognized the practice of rebating but that the first big making of a misdeed was drawn in the Mutual Life of office, and was enacted into law through the unaided effort of that company.

A Topeka dispatch says that the Provident Trust Company, one of the largest holders of Kansas mortgages, has notified its agents there that it is closing its Kansas business as rapidly as possible, and any extension of loans is impossible. It is stated that Eastern bankers are fighting shy of the financial schemes of those in power in Kansas, and it seems likely that until the death of Frank Johnson is assured Eastern money will not be loaned in Kansas, drawn as rapidly as possible. This means trouble for thousands of farmers.

The People's Life Insurance Company, at Newark, N. J., which is undergoing a process of reorganization, has a new plan. According to its prospectus the plan is to issue a simple twenty-year endowment policy, each one to be for \$500. The policies will be issued in series of 250. In each series one policy will be awarded to the holder every year and its full face value paid to the legal holder. Each holder will thus have a twenty-year endowment life insurance policy, and will also have the benefit of his policy or policies being redeemed and paid in full at any time during the life of said policies.

Rev. Dr. Stephen H. Tyng, who will be remembered as the rector many years ago of the Episcopal Church of the Holy Trinity, New York, is the European manager for the Mutual Reserve in Paris. Quite recently he suffered a severe affliction in the death of his only daughter, a young woman, who, when left alone by a nurse, found a box of matches and while playing with them set her clothing on fire. The child was horribly burned and died within a few minutes after its removal to a hospital. Both parents were absent at the time, Mrs. Tyng having gone out shopping and the father being absent on business in England. The mother was prostrated on returning and finding her child dead.

The Supreme Court has rendered an important decision in an insurance case where the evidence bore upon an application for a pension. It was in the case of one Mahany against the Mutual Reserve Fund Life Association, the action being on a policy of life insurance where the defense was misrepresentation as to the age of insured. Plaintiff introduced a number of witnesses who testified that the insured was, in their opinion, of the age stated in the application. These witnesses were not relatives of the deceased. The company showed that the insured, on two occasions, eleven years apart, had, in applying for a pension, stated her age so as to make her own age appear to be that of the insured. The court decided that a judgment for the plaintiff should be reversed as contrary to the evidence.

Suicide of a Salesman.
WHEELING, W. Va., Sept. 28.—William McComb, of this city, salesman for the George Worthington Company, of Cleveland, Ohio, committed suicide by shooting himself in the St. Charles House. He died instantly. No cause assigned.

IS BAD ENGINEERING

Suit Against the City on Account of the Fletcher-Avenue Job.

Judge Brown Defends His Position and "Roasts" Judge Cox—Hackmen's War Again—Court Briefs.

The capacity of the spruce young city engineer received an exposure in a complaint filed in the Superior Court yesterday afternoon. The complaint was based upon the incompetency of the city engineer in establishing the grade of Fletcher avenue, which was recently improved. Caroline M. Huffer has sued the city for \$2,500, on account of damage caused her premises by the absolute lack of drainage for surface water on the street. In her complaint she alleges that prior to the improvement the drainage of surface water was adequate to carry off the water without damage to the property, but after the improvement the city carelessly and negligently failed to provide for the escape of the surface water. On account of the lack of drainage she alleges that, after a heavy rainfall, water collected in a body in front of her property to the depth of six feet and overflowed her property. The water poured into the cellar, and the dampness caused the plaster to crack and the paper to scale from the walls; the water also flowed into the well and cistern and filled them with muddy, dirty surface water. She claims her damages at \$2,500, and asks judgment against the city for that amount.

THAT MANDATE AGAIN.

Judge Brown Defends His Action in Mandating Judge Cox.

Judge Brown, of the Circuit Court, yesterday, read in open court, a lengthy vindication of his position in issuing the peremptory writ of mandate directing Judge Cox, of the Criminal Court, to take some action on a motion for a change of venue from the county, filed by the attorneys for Jennie Carr. Judge Brown said that when Judge Cox came into the Circuit Court he appeared as any other defendant and upon his refusal to make a return to the writ, or demur thereto, the only facts before the court were those alleged in the petition for the writ. Upon these facts he thought he had been justified in his course. It was the duty of the attorneys to inform the court if the peremptory writ had not been obeyed. Judge Cox refused to make return to the writ because he questioned the authority of the Circuit Court of the city to order it while the case was pending in the Supreme Court, on a petition for a rehearing, if he had the authority to do so at any other time.

The Supreme Court, having overruled the petition for a rehearing, the case now comes back to the Criminal Court for trial. The motion for a change of venue is renewed if it will be granted, as the statute makes it compulsory upon the court to grant the change in capital cases.

Hackmen's War in the Higher Courts.

The war between the hackmen has at last found its way into the higher courts. Several weeks ago, when the outside hackmen presumed to solicit patronage in Jackson place, the Frank Bird Transfer Company declared war upon them. Several of the hackmen were arrested upon warrants sworn out by the Bird men. The outside hackmen retaliated by having Bird's men arrested. The August loss in 1892 was \$10,145,300, and in 1891 it was \$9,055,100. The aggregate loss for the first eight months of 1893 was \$11,234,000, against \$7,122,450 for the same period of 1892, and \$8,202,470 in 1891.

Charles F. Vail, of St. Louis, who had damage suits for \$50,000 pending against both the United States Mutual Accident and the American Accident, of Louisville, died recently. Vail was charged with the murder of his wife for the sake of getting the insurance, but was acquitted. It is thought that his death will probably terminate the suits.

New Trial Refused.

Judge Coffey, of the Supreme Court, has affirmed the decision of the Huntington county court in refusing a new trial to Thomas Frazier, recently sentenced to the northern prison on the charge of burglary. Frazier's attorneys appealed to the higher court, alleging several errors, principal among which was the remark of the prosecutor during the argument in regard to refusal of the prisoner to testify. The appellant cites an authority which forbids comment upon the fact that a defendant in a criminal case does not testify in his own behalf.

Declared Insane.

George G. Richardson and Michael Benson were declared of unsound mind yesterday. The former had become possessed of an unaccountable hatred towards several prominent business men. Benson is the man who entered a house on North Illinois street on Wednesday night, claiming that he was the Son of God in search of the Virgin Mary.

After Twenty-Four Years.

Priscilla J. McCurdy yesterday filed suit for divorce from James R. McCurdy, whom she married in 1869. She charges cruelty, and alleges that her husband has frequently assaulted and threatened to kill her. She also asks that she be given custody of their three children and judgment for \$500 alimony.

Ten Thousand for a Husband.

Sarah Bowman is suing the T. H. & I. Railroad Company for \$10,000 damages for causing the death of her husband. Bowman was a brakeman in the employ of the company when he was killed in a collision with a freight train in which he was caught between the bumpers and killed.

THE COURT RECORD.

SUPREME COURT OPINIONS.
16466. Enoch Fuller vs. Willis G. Cox. Marshall C. C. Affirmed. Howard, J.—The act of Feb. 28, 1888, concerning fees and salaries of the judges of the Supreme Court to the act of 1881. 2. In an action to recover money paid on a judgment a transcript of the judgment is not a necessary or proper exhibit with the complaint since the judgment is a matter of public record and judgment is the foundation of the action. 3. When a party does not stand on his demurrer to a complaint, but joins in a submission of the case, his complaint will be ceased by the finding unless there is a total failure to allege some fact essential to the cause of action, or at least a failure to allege facts from which such necessary facts may be inferred.

16467. Theodore F. Frazer vs. State. Huntington C. C. Affirmed. Coffey, J.—The act of Feb. 28, 1888, concerning fees and salaries of the judges of the Supreme Court to the act of 1881. 2. In an action to recover money paid on a judgment a transcript of the judgment is not a necessary or proper exhibit with the complaint since the judgment is a matter of public record and judgment is the foundation of the action. 3. When a party does not stand on his demurrer to a complaint, but joins in a submission of the case, his complaint will be ceased by the finding unless there is a total failure to allege some fact essential to the cause of action, or at least a failure to allege facts from which such necessary facts may be inferred.

16468. Martha Gorside, executrix, vs. Charles G. Wolf et al. Fayette C. C. Dismissed. McCabe, J.—J. U. of the action against whom judgment was rendered are not brought into this court, and the appeal is dismissed.

APPELLATE COURT OPINIONS.
45. William P. Armstrong vs. Samuel A. White. Sullivan C. C. Affirmed. Reinhard, J. Davis, J., dissents.—When a seller of land misrepresented as to its value and condition, although he knew them to be false, the doctrine of caveat emptor applies, the purchaser having a reasonable opportunity of examining the land.

46. Aaron McWhorter vs. Marion Norcross. Sullivan C. C. Affirmed. Reinhard, J. Davis, J., dissents.—When a seller of land misrepresented as to its value and condition, although he knew them to be false, the doctrine of caveat emptor applies, the purchaser having a reasonable opportunity of examining the land.

16469. James Phillips vs. Benjamin J. Doherty. Floyd C. C. Rehearing denied.

Gavin, C. J.—Taking the record altogether it shows a final estimate reported to the Council.

Superior Court.

Room 1—James R. McCurdy, Judge. Prox & Brinkman Manufacturing Company vs. Eckles A. Powell; account. Judgment for plaintiff for \$85.18.

George W. Jackson vs. Addie B. Jackson; divorce. Decree granted plaintiff. Prohibition from marrying for ten years.

Room 2—Hon. J. W. Harper, Judge. John E. Birtel vs. William H. Hull; foreclosure of mortgage. Tried by court. Judgment for plaintiff for \$144.30.

Robert T. Ferguson vs. Henry Gustig; for work and labor. Tried by court. Judgment for plaintiff for \$310.

Ettie M. Knight vs. Alexander Knight; divorce. Tried by court. Evidence partly heard and cause continued.

Room 3—Piny W. Bartholomew, Judge. Nora Shaffer vs. Jno. D. Shaffer; divorce. Granted on cruelty, and name changed to Hutton.

S. Grabinsky vs. Solomon Binzer; for receiver and account.

New Suits Filed.
Priscilla J. McCurdy vs. James R. McCurdy; divorce. Room 3.

Samuel W. Smith vs. Edward H. Moore; on account. Room 2.

John Klee et al. vs. John Waggoner et al.; on account. Room 1.

John Cline vs. William Bristow; note. Room 2.

Otis C. Hann vs. John E. Hann et al.; partition. Room 1.

Marion M. Huffer vs. City of Indianapolis; damages. Demand, \$2,500. Room 1.

CIRCUIT COURT.

Edgar A. Brown, Judge. John W. Brown vs. The Indianapolis Rubber Company; breach of contract. Dismissed for failure to file cost bond.

Sarah Bowman vs. Terre Haute & Indianapolis Railroad Company; damages. Demand, \$10,000. On trial by jury.

ANTI-VACCINATION STATISTICS.

More Proof That Vaccination Is Not a Safeguard Against Smallpox.

To the Editor of the Indianapolis Journal:

In your Wednesday issue Dr. Kennedy, of Shelbyville, explains why the one Keller item of statistics, cited by me among many others of Monday, is not considered thoroughly reliable, and I am glad that he has done so. The friends of vaccination in this part of the world have no desire or need to "doctor" or manufacture statistics showing that vaccination was not a safeguard against smallpox, whatever the statisticians in Austria may have done in that instance.

The real question at issue is not whether the little set of Keller statistics, merely cited by me—and not "laid great stress upon," as he states—are reliable or not, but is whether or no vaccination is a safeguard against smallpox. No friend of humanity can more than myself regret that this fancied benefaction to mankind must be branded a fraud and a delusion, but if that be a truth, why be afraid to acknowledge it such a situation? It is not a delusion, it is a fact, and it is not presumptive evidence that if smallpox itself does not protect vaccination cannot do so.

Please allow me to present more statistics against vaccination in addition to and entirely different from those in my article of Sunday.

The Doctor's ancient history regarding the "had been" of smallpox a hundred and more years ago, before the introduction of vaccination, in last Sunday's Journal was interesting, but musty, and really has little bearing on the question in hand. Getting tired of the "had been" of smallpox, I turned to the "is" of smallpox, and found that in 1871, when the compulsory vaccination law was introduced, most of them for the second or third time. As the unvaccinated do not take smallpox when exposed to it, their good condition protecting them, we should not be misled by the "had been" of smallpox, but rather by the "is" of smallpox, and the fact that because the vaccinated do not take smallpox that it was the vaccination that protected them.

The Doctor doubts the Keller Austrian statistics, let him try his brain on this in Berlin, where vaccination is compulsory. There were 5,053 deaths from smallpox in 1871, or 1 in 1,000. In 1872, there were 4,000 deaths from smallpox, or 1 in 1,000. In 1873, there were 3,000 deaths from smallpox, or 1 in 1,000. In 1874, there were 2,000 deaths from smallpox, or 1 in 1,000. In 1875, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1876, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1877, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1878, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1879, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1880, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1881, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1882, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1883, there were 1,000 deaths from smallpox, or 1 in 1,000. 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In 1959, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1960, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1961, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1962, there were 1,000 deaths from smallpox, or 1 in 1,000. In 1963, there were 1,000 deaths from smallpox, or